

UNITED STATES DISTRICT COURT

Central District of California

BILL OF COSTS

Trafficschool.com, et al

V.

Case Number: 2:06-cv-07561-PA-CW

Edriver Inc Inc., et al.

Judgment having been entered in the above entitled action on 8/26/2008 against Defendants,
Date
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ <u>350.00</u>
Fees for service of summons and subpoena	<u>513.61</u>
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case (Expedited or daily transcripts require prior Court Order.)	
1. Trial Transcripts, if requested by the Court or prepared pursuant to stipulation	<u>3,227.36</u>
2. Deposition Transcripts (includes non-expedited transcripts, the reporter's appearance fee, fees for binding, bates stamping, non-expedited shipping & handling, processing fee, ASCII disks, production and code compliance charge, electronic transmission charge, miniscripts and witness handling charges)	<u>20,363.55</u>
Fees and disbursements for printing	
(The costs of copies of an exhibit attached to a document necessarily filed and served.)	<u>17,305.49</u>
Fees for witnesses (itemize on page 2 of 3)	<u>120.00</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case	
Docket fees under 28 U.S.C. 1923 (if incurred)	
Costs as shown on Mandate of Court of Appeals	
Compensation of court-appointed experts	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	
Other costs to be taxed pursuant to prior Court approval (please itemize)	<u>58,478.00</u>
TOTAL	\$ <u>100,358.01</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☒ Electronic service by e-mail as set forth below and/or.
☐ Conventional service by first class mail, postage prepaid as set forth below

s/ Attorney: Mina Hamilton

Name of Attorney: Mina Hamilton

Costs are taxed in the amount of _____

 Clerk of Court

By: _____
 Deputy Clerk

 Date

[illegible]

INSTRUCTIONS AND NOTICES REGARDING BILL OF COSTS

SPECIAL NOTE: An itemization and documentation to support the claims made in all categories shall be attached to the Application for Bill of Costs. Documentation shall include receipts, orders and stipulations of the parties. The claiming party shall ensure that any receipts are self-explanatory (i.e. receipts for service, to include the name of the individual). The Clerk's designee will disallow any expenses that do not have supporting documentation. It is the claiming party's responsibility to ensure that the total cost requested in all categories on Form CV-59 reflects the same total of the documentation submitted in support thereof. The Clerk's designee shall allow such items specified in the application which are properly recoverable as costs.

Amended Procedure for Filing Bill of Costs

Local Rule 54-3 - Within (15) days after entry of judgment, the party entitled to costs shall file a Notice of Application to the Clerk to Tax Costs and shall attach a proposed Bill of Costs on Form CV-59. The Bill of Costs and the Notice of Application to the Clerk to Tax Costs shall be prepared as two separate documents. All costs shall be specified so that the nature of the claim can be readily understood. The Bill of Costs will be electronically filed by the Clerk's designee once determination of allowable costs are made.

Appearance Requirements

Local Rule 54-3.2 - Time of Application - The date and time for taxation of costs by the Clerk shall be not less than fourteen (14) nor more than twenty-one (21) days from the date notice is given to the other parties. If no objections to the Bill of Costs are filed, then no appearance by counsel is required. In the absence of an objection, any item listed will be taxed as allowed under Local Rule 54. When an objection is filed, the Clerk's designee may determine that no hearing is required and the parties will be so notified. If a hearing is to be held, the Clerk's designee may specify the form of the hearing and determine if telephonic appearances are appropriate.

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."